

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Todd H. YOUNG

Application No.: 10/081,781

Filed: 20 February 2002

For: GUARD FOR PROTECTING
PAINTER'S THUMB



Confirmation No.: 2719

Group Art Unit: 3765

Examiner: Moran, K.

Mail Stop Issue Fee

Commissioner for Patents

P.O. Box 1450

Alexandria, Virginia 22313-1450

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE
PURSUANT TO 37 C.F.R. § 1.104 (e)

Sir:

In response to the examiner's statement of reasons for allowance in the Notice of Allowability dated 14 July 2004, the following comments are submitted.

Applicants do not believe that the Statement of Reasons for Allowance in this case is warranted/proper under 37 C.F.R. § 1.104(e) and M.P.E.P 1302.14.

While Applicant believes that the claims are allowable and patentably distinguish over the prior art, Applicant does not acquiesce that patentability resides in each feature, exactly as expressed in the claims, nor that each and every feature is required for patentability. And, Applicants submit that patentability is based on the claimed invention as a whole, and not solely on one or more particular features recited in the allowed claims.

Respectfully submitted,
MORGAN, LEWIS & BOCKIUS LLP

Date: 14 October 2004

By: Scott J. Anchell

Scott J. Anchell

Registration No. 35,035

CUSTOMER NO.: 009629

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MISCELLANEOUS COMMUNICATION

Sir:

In response to the Examiner's Comment in the Notice of Allowability dated 14 July 2004 regarding replacement drawing sheets, it is respectfully submitted that the replacement drawing sheets filed 15 October 2003 fully comply with 37 C.F.R. § 1.121(d). In particular, 37 C.F.R. § 1.121(d) states that the replacement drawing figures "must be submitted on a replacement sheet of drawings which shall be an attachment to the amendment document and, in the header, labeled 'Replacement Sheet.'"

Thus, the Examiner's Comments is respectfully traversed for the above reasons, and it is respectfully requested that the requirement for further formal drawings omitting "Replacement Sheet" in the header be withdrawn.

Respectfully submitted,
MORGAN, LEWIS & BOCKIUS LLP

Date: 14 October 2004

By:

A handwritten signature in cursive script, reading "Scott J. Anchell".

Scott J. Anchell

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